

REMARKS

Upon entry of the foregoing Amendment, claims 1, 3-6 and 23-27 are pending in the present application. Claim 1 is amended; no claims are added; and no claims are cancelled. In view of the foregoing Amendment and following Remarks, allowance of all the pending claims is requested.

Rejections Under 35 U.S.C. § 112

The Examiner has rejected claims 1 and 3-6 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to point out and distinctly claim the subject matter which applicant regards as the invention. Applicant submits that one of ordinary skill in the art of service level management would understand such language. Nonetheless, solely in an effort to expedite prosecution of this matter, Applicant has amended claim 1 thereby rendering this rejection moot.

Rejections Under 35 U.S.C. §103

The Examiner has rejected claims 1, 23, 24, 26 and 27 under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,108,700 to Maccabee et al. ("Maccabee") in view of U.S. Patent No. 6,356,282 to Roytman et al. ("Roytman") and in further view of U.S. Patent No. 6,314,103 to Medhat et al. ("Medhat"). Applicant traverses this rejection for at least the reason that this combination of references, even if proper, which Applicant maintains it is not, does not teach or suggest all the features of the claimed invention.

More specifically with regard to claim 1, none of the references, alone or in combination with one another teach or suggest:

transmitting the alarms from the plurality of monitoring agents to an alarm correlation agent, which analyzes the alarms to produce correlated alarms; and

transmitting the correlated alarms to an enterprise management system to analyze, across a network, causes of the correlated alarms....

Contrary to the Examiner's assertions, the references, alone or in combination with one another, do not teach or suggest at least these features of the claimed

invention. At best, the references Maccabee and Roytman (upon which the Examiner appears to rely to teach these particular features of the claimed invention) individually appear to perform a single operation of analyzing alarms to produce correlated alarms. Neither Maccabee or Roytman teaches or suggests subsequently analyzing the correlated alarms as set forth in the claims. Merely “combining” two references that each teach a single operation of analyzing alarms does not teach or suggest the features recited in claim 1. Medhat does not address this deficiency. Hence, the rejection of claim 1 is improper for at least this reason and must be withdrawn.

With regard to claim 23, the references relied upon by the Examiner do not teach or suggest:

monitoring one or more parameters from the collected data, the one or more parameters providing an indication of an operational characteristic of the service provided by the network;
determining from the operational characteristic a value in the range of values, the value being a performance index of the grade of the service associated with the service level management domain

More particularly, the references relied upon by the Examiner do not pertain determining a performance index of the grade of service being provided in a particular service level management domains. For example, Roytman (upon which the Examiner relies to teach this particular aspect of the invention) apparently pertains to a severity level of an alarm, “such as, ‘critical’, ‘major’, ‘warning’, ‘minor’, ‘normal’, and ‘indeterminate’.” As would be appreciated by one of ordinary skill in the art, these are relevant to a severity of a particular alarm for particular network device and not applicable to a particular grade of service provided by a collection of network devices within the service level management domain. Accordingly, at least these features of the claimed invention are not taught or suggested by the references relied upon by the Examiner. Hence, the rejection of claim 23 is improper for at least this reason and must be withdrawn.

Claim 27 includes features similar to those discussed above with regard to claim 23 and hence, the rejection of claim 27 is likewise improper and must be withdrawn.

Claims 24 and 26 depend from and add features to claim 23. Thus, the rejection of these dependent claims is improper and must be withdrawn for at least the reasons set forth above with regard to claim 23.

The Examiner has rejected claims 3-6 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Maccabee, Roytman, and Medhat, and in further view of U.S. Patent No. 6,230,203 to Koperda et al. ("Koperda"). Applicant traverses this rejection for at least the reason that this combination of references, even if proper, does not teach or suggest all the features of the claimed invention.

Claims 3-6 depend from and add features to claim 1. As Koperda does not address the deficiencies of the references relied upon by the Examiner with regard to claim 1, this combination of references likewise fails to teach or suggest all the features of the claimed invention. Hence, the rejections of claims 3-6 is also improper.

The Examiner has rejected claim 25 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Maccabee, Roytman, Medhat and in further view of U.S. Patent No. 6,304,892 to Bhoj et al. ("Bhoj"). Applicant traverses this rejection for at least the reason that this combination of references, even if proper, does not teach or suggest all the features of the claimed invention.

Claim 25 depends from and adds features to claim 23. As Bhoj does not address the deficiencies of the references relied upon by the Examiner with regard to claim 23, this combination of references likewise fails to teach or suggest all the features of the claimed invention. Hence, the rejection of claim 25 is also improper.


CONCLUSION

Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

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Respectfully submitted,



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